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Attorneys for Defendant  
FEDEX KINKO'S OFFICE AND PRINT SERVICES, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

STEPHEN WHITEWAY, individually and on  
behalf of all others similarly situated,

*Plaintiffs,*

v.

FEDEX KINKO'S OFFICE AND PRINT  
SERVICES, INC., and DOES 1 through 25,  
inclusive,

*Defendants.*

Case No. C 05-02320 SBA

**STIPULATION TO CONTINUE HEARING  
ON DEFENDANT FEDEX KINKO'S  
OFFICE AND PRINT SERVICES, INC.'S  
MOTION FOR PROTECTIVE ORDER  
LIMITING COMMUNICATION WITH  
PUTATIVE CLASS MEMBERS**

HEARING DATE: September 16, 2005  
HEARING TIME: 1:30 p.m.  
HEARING JUDGE: Joseph C. Spero  
COURTROOM: A

Date Action Filed: May 19, 2005  
Trial Date: Not set

1 This Stipulation is entered into by and between Plaintiff Stephen Whiteway ("Whiteway") by  
2 and through his counsel Scott Cole & Associates, APC, and Defendant FedEx Kinko's Office and  
3 Print Services, Inc. ("Kinko's") by and through its counsel Kirkpatrick & Lockhart Nicholson  
4 Graham LLP, as follows:

5 WHEREAS, the Court set a hearing date on Kinko's' motion for protective order for  
6 September 16, 2005;

7 WHEREAS, Kinko's' counsel have represented that they are unavailable that date and also  
8 unavailable the two subsequent Fridays, September 23 and 30;

9 THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

10 That the hearing date on Kinko's' motion for protective order be continued until **October 7,**  
11 **2005 at 9:30 a.m.** The briefing schedule shall not be changed, Kinko's' reply brief remains due on  
12 September 2, 2005.

13  
14 Dated: August 29, 2005

15 /s/  
Jonathan M. Cohen, Esq.

Dylan B. Carp, Esq.

KIRKPATRICK & LOCKHART

NICHOLSON GRAHAM LLP

Four Embarcadero Center, 10th Floor

San Francisco, CA 94111

Counsel for Defendant

FEDEX KINKO'S OFFICE AND PRINT SERVICES, INC.

16  
17  
18  
19  
20 Dated: August 29, 2005

21 /s/  
Scott Edward Cole, Esq.

Matthew R. Bainer, Esq.

Clyde H. Charlton, Esq.

SCOTT COLE & ASSOCIATES, APC

1970 Broadway, Suite 950

Oakland, CA 94612

Counsel for Plaintiff

STEPHEN WHITEWAY

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

Dated: August 30, 2005

  
Hon. Joseph C. Spero  
United States Magistrate Judge